

REMARKS

In response to the restriction requirement and requirement for election of species issued September 19, 2001 in the above-referenced patent application, Applicants elect for prosecution the invention of Group I, claims 1-9. The remaining claims have been canceled as drawn to a non-elected invention. Applicants reserve the right to prosecute the claims of the non-elected invention in one or more continuing applications.

In the event that Group I was chosen for prosecution, the examiner issued a requirement for election of species of one of the nucleic acid molecules of SEQ ID NO: 1-5. Applicants traverse this requirement for election of species. As stated in 37 C.F.R. §1.141, a reasonable number of species may be claimed in one application if all other requirements of the rule are met. Only five species are covered by the group comprising SEQ ID NOS: 1-5. Applicants submit that five is a reasonable number of species to be contained in a single patent application, and that a search and examination of this small number of species would not place an undue burden on the examiner. Therefore, in the interest of providing a full and fair examination of the subject matter of the elected invention, Applicants request withdrawal of the requirement for election of species.

To be fully responsive in the event the requirement for election of species is not withdrawn, Applicants elect species SEQ ID NO:5. Claims readable on this species include claims 3, 4 and 8.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,


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Date: 11/19/01

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DOCKET NO.: WARF-0038

PATENT

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claims 10-15 have been canceled.